DAILY CONFEDERATE.

A. M. GORMAN & CO., Proprietors.

DAILY EDITION, for 6 months $12
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TRI-WEEKLY, for 6 months 7
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WEEKLY EDITION, for 6 months 5
No subscriptions received on any other terms than the above, nor for a longer or shorter period.

THE DAILY CONFEDERATE.

OLD SERIES, VOL. V.

RALEIGH, N. C., SATURDAY, MARCH 5, 1864.

VOL. I—No. 31.

From the Richmond Examiner.

THE RAIDS AROUND RICHMOND—SURPRISE OF THE ENEMY'S CAMP AT ATLEE—RETREAT OF THE YANKEES ACROSS THE PAMUNKEY—INCIDENTS, &c.

Yesterday's sun produced a new crop of rumors of the raiders. The firing heard during the night on the Westham road, and at a later hour—about half-past ten—in the direction of Mechanicsville, disturbed the repose of the community and prepared it for a new excitement in the morning.

THE FIGHT ON THE BROOK TURNPIKE.

We learn that in the fight at Battery No. 9, noticed yesterday, the enemy used two pieces, six-pounders, on our right, and three rifle pieces on our left. The engagement lasted three hours. After the enemy's sharpshooters were dislodged from Parker's house, the Yankees retreated in good earnest.

THE FIGHT ON THE WESTHAM ROAD.

We mentioned in a former account, that about nightfall on Tuesday some of our local forces engaged the enemy on the Westham road. It appears that the Armory Battalion encountered some three or four hundred of the enemy's cavalry near Green's farm, and were thrown, for a moment, into disorder by the sudden assault of the enemy—it being now pitch dark. The Yankees were dismounted and fought as infantry. The Armory Battalion slowly fell back—fighting as well as they could in the dark—until reinforced by Henley's Battalion. It is said that some forty or fifty of the Armory Battalion were taken prisoners, but were immediately afterwards paroled by the enemy.

Henley's Battalion, composed principally of Department clerks, under command of Captain McElheny, then came upon the ground and formed in line of battle in excellent order. The men displayed great self-possession, and their first volley was delivered with extraordinary steadiness and precision. A slight ravine separated them from the enemy. Our line of battle was formed some few hundred yards in front of what is known as the Forks. The enemy was twice repulsed, when he fell back, and next morning had disappeared.

The best accounts of the casualties estimates the enemy's loss at eight killed and twenty or thirty wounded. We took four prisoners, who, in the darkness of the night, and in the confusion, had got in our rear. One adventurous Yankee cavalryman rode the guantlet of our entire line, and managed to escape.

INCIDENTS.

At Mr. Hix's farm the Yankees captured the overseer. They stole his watch and demanded his pocket-book, which he managed, however, to drop through the leg of his pantaloons.

Mr. Hix states that his overseer buried on his place five Yankees, and he reports that twenty-three wounded were taken off. When they dashed into the enclosure, pursuing some of the dispersed forces of the Armory Battalion, they were yelling at the top of their voices. They cried "Charge the d—d militia."

The dead Yankees were "peeled" by the negroes, and large quantities of spoils were gathered on the battle ground. The outfit and equipment of the enemy are described as extraordinarily complete and magnificent. Each horseman carried about twenty-five pounds of baggage, including two fine blankets.

One of the enemy fell into Mr. Hix's ice-house, the top of which was off, and the fissure being concealed by the darkness, horse and rider both went down into it. The horse was killed, and the Yankee had his leg broken. One of the enemy's wounded, lieutenant, confessed to Mr. Hix that the enemy had hung a negro in Goochland, near the canal. He said that this branch of the expedition had been misled, and got out of its route; and that, for this circumstance, they confidently expected to have been in Richmond by Tuesday night.

THE RAID ON THE CANAL.

We learn that the Yankee detachment which visited the canal went to Mr. Morton's house, in Goochland, and set it on fire. The dwelling was only partially consumed. They stole all his silver plate. They destroyed his barns, straw stacks, corn and provender of all kinds. They proceeded from there to Secretary Seddon's, burning his barns and provender, and carrying off all the horses they could get their hands on. Here, as at Mr. Morson's, they burned to death a number of fine cattle, confined in the stables and pens which were fired. They burnt all the mills in the neighborhood. They did not cut the canal, or burn any bridge or locks. They burnt some sheds at Anderson's Dover Pits.

Mrs. Allan and her husband came down immediately on hearing of the raid, on the packet to Richmond, in order to be protected by the government. The story of her having been captured, or having left with the Yankees, is entirely false, she not having seen a Yankee until she reached Richmond, where she saw some being carried to prison by our troops.

Mrs. Allan left at home a child at the point of death. Her husband, after placing her at the place from which she was recently taken, returned last night on the packet boat to his child.

SURPRISE OF THE ENEMY'S CAMP AT ATLEE'S.

It is now ascertained that the enemy did not encamp at Mechanicsville, but after lighting bivouac fires there to deceive us, proceeded in the direction of Hanover Junction.

The camp of the enemy was surprised at one o'clock Tuesday night by Gen. Hampton's command. The enemy were encamped at Atlee's station. The surprise was admirably effected. Gen. Hampton was in advance, and he was fired upon by one of the enemy's videttes, which was the first signal of the alarm. A wild panic immediately took place in the Yankee camp; the horses stampeded, and a scene of indescribable confusion ensued. The results of the surprise were, that we killed three of the enemy, (one lieutenant mortally wounded,) took one hundred and five prisoners, among them one lieutenant colonel and one assistant surgeon, and captured more than a hundred horses. Gen. Hampton's command did not lose a single man. There were three slightly wounded.

It is thought that the Yankee force encamped at Atlee numbered about thirty-five hundred men, and included the whole of Kilpatrick's command.

The force with which General Hampton made the attack consisted of the First North Carolina regiment of cavalry and a portion of another regiment. Owing to the smallness of his force he had not risked an attack by day, but trusted to his success in surprising the Yankees in their night encampment.

The enemy dispersed in various directions, the darkness of the night assisting their escape. Squads of prisoners were taken up and brought in during the day. From what is understood of the enemy's situation, it is probable that he will attempt two exits—that down the Peninsula and that by the bridge over the Pamunkey above Hanover Court House. It is to be hoped, however, that it will be found difficult for him to extricate, by either route, his dispersed and demoralized forces.

LATER—THE YANKEES ACROSS THE PAMUNKEY.

At a late hour last night we learn that the Yankees had crossed the Pamunkey at New Castle and Piping Tree fords, and were retreating down the King William side. They crossed the river about four o'clock in the evening. They crossed in fery boats. We learn that orders were given to secure the boats on the Pamunkey, but they appear not to have been executed with sufficient promptness or diligence.

From the Richmond Examiner.

YANKEE PROTECTION TO NEGRO SOLDIERS—A 'RETALIATION" CORRESPONDENCE.

An official correspondence, which has recently taken place between Maj. Gen. Peck, of the Yankee, and Maj. Gen. Pickett, of the Confederate army, is made public. The correspondence arose from a paragraph, copied into this paper from the Petersburg Register, detailing some of the particulars of our late advance on Newbern, N. C, in which it was stated "that Col. Shaw was shot dead by a negro soldier from the other side of the river, which he was spanning with a pontoon bridge, and that the negro was subsequently taken and hanged." This paragraph falling under the eye of Yankee Gen. Peck, he addresses a letter to Maj Gen. Pickett, enclosing it and calling his attention to it, and reminding him that "the government of the United States has wisely seen fit to enlist many thousand colored soldiers, to aid in putting down the revolution, and has placed them *on the same footing, in all respects, as her white troops.*" He encloses, at the same time, the order of Lincoln on the subject of protection to negro troops, which, after reciting that "it is the duty of every government to give protection to its citizens, of whatever class, *color*, or connection," declares that "the law of nations and the usages and customs of war, as carried on by civilized powers, permit *no distinction as to color* in the treatment of prisoners of war as public enemies;" and that "for every soldier of the United States killed in violation of the laws of war, a rebel soldier shall be executed." With this display of authority, Maj. Gen. Peck concludes his letter thus:

"Believing that this atrocity has been perpetrated without your knowledge, and that you will take prompt steps to disavow this violation of the usuages of war, and to bring the offenders to justice, I shall refrain from executing a rebel soldier until I learn your action in the premises.

"I am, very respectfully," &c.

Major-General Pickett replies. He says that "the paragraph enclosed therein is not only without foundation in fact, but so ridiculous that he should scarcely have supposed it worthy of consideration." But he does not stop here. He says:

"But I would respectfully inform you that, had I have caught *any* negro who had killed either officer, soldier or citizen of the Confederate States I should have caused him to be immediately executed."

To Peck's threat that he would "execute a rebel soldier" for the negro, General Pickett replies:

"I have merely to say that I have in my hands, and subject to my order, captured in the recent operations in this department, some four hundred and fifty (450) officers and men of the United States army, and for every man *you* hang, I will hang ten (10 of the United States army."

General Peck then writes, enclosing General Pickett a list of fifty-three soldiers of the United States Government, supposed to have fallen into his hands in his retreat from before Newbern, and asks for them the same treatment, in all respects, as is meted out to other prisoners of war, saying they are "loyal and true North Carolinians."

General Pickett replies reminding Yankee General Peck of "the *slight* mistake" made by him, and tells him that, instead of "fifty-three," as stated in the list "so kindly furnished him," he has *three hundred and twenty-five* such prisoners! Of the "justice" meted out to them, General Pickett says:

"I herewith return you the names of those who have been tried and convicted by court-martial from the Confederate service, and taken with arms in hand, "duly enlisted in the Second North Carolina infantry, United States Army." They have been duly executed according to law and the custom of war.

"Your letter and list will, of course, prevent any mercy being shown any of the remaining number, should proper and just proof be brought of their having deserted the Confederate colors, many of these men pleading, in extenuation, that they have been forced into the ranks of the Federal Government."

"Extending to you my thanks for your opportune list, I remain, very respectfully," &c.

General Peck seems not to have received the above letter before enclosing another "paragraph" to General Pickett, from the Fayetteville Observer, setting forth that some of the Yankee prisoners taken near Newbern had been executed. He hopes to deter General Pickett from this act by the old game that has so often brought our Government on its marrow bones, and saved many a Yankee felon's neck from the halter—a threat of *retaliation!* He says, in closing his letter:

"Having reported this matter to higher authority, I am instructed to notify you that if the members of the North Carolina regiments who have been captured are not treated as prisoners of war, the strictest retaliation will be enforced. Two colonels, two lieutenant-colonels, two majors and two captains, are held at Fort Monroe as hostages for their safety."

But General Pickett, that General Pickett who rode before six thousand Virginians over the long slopes and through the blazing batteries at Gettysburg, does not appear manageable by the means which have so often served Lincoln, and even Butler, at Richmond, General Pickett replies that the men "duly enlisted into the Second North Carolina regiment" had been duly enlisted in the Confederate service previously, and had deserted from the same; that they were taken in arms fighting against their colours; were tried by a duly organized court, sentenced and executed. In regard to the threat of retaliation from General Peck, General Pickett says:

"If the officers of the Confederate States army, whom you speak of as 'hostages for their safety,' can be proven to be deserters from the Federal army, you will certainly be fully justified in treating them similarly; otherwise, should you retaliate, you will simply be guilty of *murder.*"

General Pickett concludes by saying that "the subject does not admit of discussion," and takes leave of General Peck by referring him to the concluding paragraph of his previous letter, which is to this effect: "For every man you (Peck) hang, I (Pickett) will hang TEN!"

Now, here seems to be a man. Let us pray God that he will always be a man in act as in word; that he will never melt, like butter, as so many have.

Miscellaneous.

$25 Reward.

RANAWAY from the Subscriber, in Wake County, on the 14th day of February one slave girl, about thirty years of age. Said girl's complexion is dark mulatto, with her right breast cut off. Her name is TINEY. The above reward will be paid to any person that will deliver the said girl to me, or confine her so that I can get her. My Post Office is Durham's N. C.

33-d2t* SARAH K. ROSS.

BANK OF CAPE FEAR, Wilmington, N. C., 1st March, 1864.

Dividend, No. 109.

A DIVIDEND of 15 per cent. on the Capital Stock of this Bank has been declared, payable to stockholders on the 15th inst. in Confederate Notes. J. G. BURR, Cashier.

33-3t*

LEATHER! LEATHER!!

JOURDAN & MOSES, Tanners, are receiving hides daily to tan and finish, for one-third for all split hides, and skins for one-half, giving owner of the split hides the refusal of the yard's share at government price. The yard is situated 9 miles Southeast of Raleigh, and 1 mile from Auburn Turnout. 33-d1w

FRESH OYSTERS!—TO ARRIVE TO-DAY.

ANOTHER small lot of those large, luscious Fresh Oysters. Our regular customers will please send down their vessels promptly to the NEW MARKET STORE,

33-1t* In the old State Journal building.

MACHINIST WANTED.

WANTED, a good Machinist to take charge of a Steam Saw and Grist Mill. To one that will come well recommended as to sobriety, industry and skill, a liberal price will be paid. Address, Dr. GEO. C. SUGG, Joyner's Depot, Wilson, Co., N. C.

32-d2t&w3t*

Notice.

WE will sell at public auction, for cash, at our Factory in Thomasville, N. C., on Saturday 12th March next, three hundred gallons of good old pure proof peach and apple BRANDY.

Also, one hundred and twenty boxes Tobacco of different brands, one Jack, and a good second-hand two-horse Wagon, and other property.

The sale will begin at half-past one o'clock, P. M., in order to give the Western train time to arrive. J. K. & M. H. PINNIX.

Thomasville, Feb. 24, 1864.—32 d8t

Notice to the Magistrates of Wake County.

AT a meeting of forty-two of the Magistrates of this county it was ordered that a called Court be held at the Court House, on Saturday, the 5th day of March next, to attend to important Court business, and a full attendance of all the Magistrates is earnestly requested.

32-dtd J. J. FERRELL, C. C. C.

Special Notice.

THE undersigned, as Superintendent of the Forest Manufacturing Company, (Paper Mills,) will pay the best prices for Raw Cotton, (slightly damaged preferred,) old rope, bagging, paper shavings, and clean cotton rags, white or colored. Any person who has any of the above stock will do well to address me at once.

THOS. C. THACKSTON, Supt. F. M. Company, Forestville, N. C.

32-d5t*

NOTICE.

WE wish to hire for the balance of the year, three good negro Blacksmiths. Address, J. K. & M. H. PINNIX,

32-12t Thomasville, N. C.

Bank of North Carolina.

ALL persons having Dividends due and unpaid in this Bank, Branches and Agencies, are hereby notified that unless the same be drawn on or before the 25th day of March, instant, they will be paid in the 4 *per cent.* Bonds of the Confederate States, or in the present currency at par.

32-d26t C. DEWEY, Cashier.

FOR SALE.

A TRACT of well-timbered, fertile Land, convenient to water, lying in the eastern part of the State, containing Eight Thousand acres Apply to me at this place for particulars.

JOS. S. CANNON.

Raleigh, March 2, 1864.—32-dtf

$300 REWARD

WILL be paid for a Trunk lost on the North Carolina Railroad last week—between Charlotte and Raleigh: or $150 will be paid for any information that may lead to its recovery.

Address, D. M. CLARK, Ass't Surgeon C. S. A., Box 1534, Richmond, Va.

32-d5t

TOBACCO AT AUCTION.

WILL be sold for cash, in the town of Henderson, on the 10th inst. TWENTY HOGSHEADS OF TOBACCO, all sound and in good condition. The Tobacco will be sold by sample after inspection. THOS. H MORROW.

32-d7t

Office of Chief Quartermaster, Raleigh, February 27th 1864. Proposals will be received at this office until the 28th inst., for the manufacture of Oil from the Tithe Pea Nuts.

Proposals must state the price per gallon for the oil produced; as the Government will require the total produce of oil as well as oil cake.

W. W. PEIRCE, Maj. and Chief Q. M.

20-d3t&w3t

☞ Wilmington Journal, Fayetteville Observer, Raleigh Standard and Petersburg Register, copy 3 times and send bill to Maj. Peirce.

Lost Certificate of Stock.—The undersigned has lost the following Certificate: No. 1305 for $3100, dated July 28th, 1863, issued to J. McBoyle at Raleigh, N. C.

Every person is forbidden to purchase the same as application will be made for its renewal.

3-w1m. DAVID OUTLAW.

Miscellaneous.

FOR SALE.—TEN BALES OF GOOD COTTON. Apply to

31 2-6t*. J. McKIMMON.

Bank of Cape Fear, RALEIGH, March 1st, 1864.

DEPOSITORS and Banks are requested to draw their balances from this Bank by the 25th instant, and all balances left in Bank on the 31st instant, will be funded in 4 per cent. Confederate States bonds, and paid to said depositors.

31 2 3t.* W. H. JONES, Cashier.

NOTICE.—THE UNDERSIGNED HAVING been appointed Receiver under the Sequestration Act for the counties of Carteret, Craven, Jones and Onslow, vice H. C. Jones, removed, hereby cautions the public from transacting any business with H. C. Jones as Receiver. Any person having any business with the Receiver, will address me at Moselv Hall, N. C.

31 2—6t. C. S. WOOTEN, Receiver.

NOTICE.—The BANKS at GREESNBORO', N. C., will decline to pay undrawn dividends, certificates of deposit, and checks of any date prior to the 28th of March next, except in the currency now existing, and as now rated and valued; and all those entitled to dividends, and holders of such certificates and checks, are requested to present the same to us forthwith and receive payment. Feb. 27, 1864.

WM. A. CALDWELL, Cashier Farmers' Bank North Carolina.
M. STEVESON, Cashier Bank of Washington, North Carolina.
JESSE H. LINDSAY, Cashier Bank of Cape Fear, North Carolina.
D. P. WEIR, Treas'r Greensboro' Mutual Life Insurance and Trust Company.

31 2-taw3w*.

OFFICE RALEIGH & GASTON R. R. CO., RALEIGH, March, 1, 1864.

Notice is hereby given that the checks issued by me on the Bank of North Carolina, and now outstanding, as also the dividends declared payable by this Company, and not collected, are payable only in the present Confederate currency.

W. W. VASS, Treasurer.

March 1-1m.

50 Hands Wanted.—We wish to Hire for the balance of the year (50) FIFTY ABLE-BODIED HANDS, to cut wood in Burke county, N. C., at our Iron Works. Said hands will be well fed and taken care of. Apply soon, and address C. P. MENDENHALL, at Greensboro', or E. P. JONES, at Morganton, Burke co., N. C.

30 d12t

$100 Reward.—Lost on the night of the 27th inst., between the Capitol and the Yarborough House, one package containing orders from Col. Mallett to report at Wilmington, One Hundred Dollars interest bearing, several Twenty Dollar Bills and letters. The above reward will be paid by leaving the articles at the YARBOROUGH HOTEL.

30-1t*

A Good Investment.—The Subscriber has two lots of Cotton, one of 35 Bales in *Sumter District*, also one of 34 in Newberry District S. C. He will sell either lot. It is well stored in the country and in two miles of the R. R. Apply soon. My address is Wilson N. C.

30-d3t.* R. H. BLOUNT.

The Bingham School.

Tuition to the end of the current term, $150
Board per month (boys furnishing a pair sheets and blankets) 100
All in advance.

Address W. J. BINGHAM & SONS, Oaks, Orange, N. C

25-12td*

AUCTION SALE.

BY PANNILL & SON, *PETERSBURG, VA.*

Valuable Land & Lots in Weldon, N. C.

ON TUESDAY, 8th March next, at 12 o'clock. M., we shall sell at auction, in front of our store, the following valuable property in and adjoining the town of Weldon, N. C., belonging to the heirs of Daniel Weldon, dec'd.

A lot of 10¼ acres, bounded by the trase of the old Canal Lock and the Roanoke river. On the land some valuable mill sites may be had.

A lot of 4 acres, bounded on the South by the R. N. Co's, basin, and on the North of the R. river.

A lot of 21 acres, above and adjoining the town of Weldon, and bounded on the South by the Canal, and on the North by the river.

A lot of 12½ acres, South of the Canal.

Two other lots, of two acres each, adjoining the above.

A lot of 22¾ acres, South of the town and between the Wilmington and R. & G. R. R.

An Island in the river, opposite the Western end of the Town, containing 9½ acres.

Also the following lots, viz: 8, 10, 14, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 48, 55, 58, 59 and 63.

A plot of the property can be seen at our office.

All the property is valuable and offers to capitalists a fine opportunity for investment. The immense water power at and adjacent to Weldon, and the four long railroads which connect at that point, must, at no distant day, cause a large manufacturing city to spring up at that place.

PANNILL & SON, Auct'rs.

Feb. 29, 1864.—29-d7t.

Income Bonds of the Wilmington and Manchester Rail Road Company.

PRESIDENT'S OFFICE, WILMINGTON & MANCHESTER R. R. Co., Wilmington, N. C., Feb. 24, 1864.

THE INCOME BONDS of this Company are due and payable at the Bank of Charleston, S. C., in the City of Charleston on the 1st day of March, 1864. Notice is hereby given to all holders of said Bonds that they will be paid on presentation at said Bank in the City of Charleston on maturity, with any interest coupons thereon. Also, that they will be paid on presentation at the Treasurer's office of this Company in Wilmington, N. C., with any interest coupons due thereon, if preferred by the holders. The interest accruing on these Bonds will cease on and after the 1st day of March, 1864. THOS. D. WALKER, President.

29-d2w

Notice.

THE STOCKHOLDERS OF THE LOCKville Mining and Manufacturing Company will meet at the office of Kemp P. Battle, in the city of Raleigh, on Monday the 8th March, 1864, to organize the Company.

By order of the Commissioners. 26-d5t*

$300 Reward.—Runaway from the subscribers on Monday the 15th instant, two negroes—DUNCAN and JANE. Duncan is about 6 feet high, stout and able, weighs about 175 pounds—dark color but not *black*—is polite, smart and intelligent and is a Tanner. Altogether he is a No. 1 boy. Jane is tall for a woman; not overly stout, and unsound. We believe they were induced to, and advised in their escape by some white man, and carried off in a wagon. They carried everything with them. We will give two hundred dollars for the delivery of Duncan and one hundred dollars for Jane, or their confinement in any jail so that we can get them.

Duncan is about 35 years old and Jane about 32—husband and wife.

23-d24t CAIN & RUFFIN.

Hillsboro', Orange county N. C., Feb. 19, 1864.

JOBWORK

Of all description neatly executed at this office

Miscellaneous.

WANTED.—A Good Milch Cow. Apply at THIS OFFICE.

Bank of Washington—at Greensboro', Feb. 10th, 1864. A meeting of the Stockholders in this Bank will be held at the town of Tarboro' on Wednesday, March 16th, proximo. A general attendance is earnestly requested, either in person or by proxy, as business of importance will come before the meeting.

M. STEVENSON, Cashier.

14-d3tawtd*

Oxford Female College.—The twenty-sixth session began on Monday the 18th January 1864, and will continue twenty weeks.

Tuition in each school $60.
Piano rent $15. No extra charges.
Board varies with provisions.

J. H. MILLS, Oxford, N. C.

5-tf.

Notice.—On the First day of every month I shall send a special agent to the Army of Northern Virginia. All packages, &c., sent to me at this place will be promptly forwarded free of charge. EDWARD WARREN, Surg-Gen'l N. C.

Dec. 22, 1853-d3m

HILLSBORO' MILITARY ACADEMY.—The Sixth Academic year of this Institution will commence on Wednesday, February 3rd, 1864. For circulars and information apply to MAJ. WM. M. GORDON, Supt.

Hillsboro', N. C., Nov. 23, 1863.—d3m.

$100 Reward—Ranaway from Mrs. E. I. Hayes' plantation, in Warren County, N. C., on the 16th inst., a negro man named ANTHONY. He is about 42 years of age, black complexion, has good teeth, is badly ruptured and wears a truss. He is about 5 feet, 6 or 7 inches high, is well set and strong looking and has a pleasing countenance when spoken to. He has a wife at Mr. Joseph Townes', near Townesville, N. C., where he will likely be found, or he may try to get to the Yankee lines, as he has a good deal of money with him. I will give the above reward of One Hundred Dollars for the delivery of the said negro to me, or his apprehension and confinement in any jail so I can get him again.

JOSEPH B. JONES.

Warren Co., N. C., Feb. 17, 1864.—21-dtf

Fayetteville Arsenal and Armory, November 12, 1863. $100 BOUNTY! Wanted, 100 Mounted Riflemen. Authority having been granted by the War Department to raise a Company of Mounted Riflemen for service in this vicinity, notice is hereby given, that recruits to the number of 100 *non-conscripts* will be received for this service. Each recruit will be required to furnish a serviceable horse, for which he will be allowed 40 cents per diem, and his pay $12 per month. *Written permission* will be required from parents or guardians, where the applicant is under the conscript age.

Each recruit must bring with him a blanket or bed-spread, and come prepared to remain.

Apply to Maj. MATTHEW P. TAYLOR, at the Arsenal. F. L. CHILDS, Lieut-Col. C. S. A., Commanding Post.

dec 16dtf.

Mrs. H. W. Miller.

BOARD

By the Month, $220
Daily board do $150
Transient, per day $ 12

jan 16-d1y

Wanted to Hire.—A Negro Boy some fifteen or sixteen years old, to cut wood, run errands, &c., for a family. Apply at THIS OFFICE.

8-tf

Office of C. S. Depository, Raleigh, N. C., Feb. 24th, 1864.

PERSONS BRINGING MONEY TO THIS office are hereby informed that none will be received, which is not assorted according to denomination.

This rule is adopted as much to accommodate the public as to facilitate the business of the office. Office hours from 10 A. M., to 3 P. M.

C. B. HARRISON, 26 d6t C. S. Depositary.

For Sale.—One negro boy about thirty years of age in good health; an excellent teamster, carriage driver, and work hand. Apply to J. M. LITTLE, feb. 3, 1864-10-dtw-w4t. Lexington, N. C

Newspaper Establishment for Sale.

THE PROPRIETOR OF THE "SPIRIT OF THE AGE" Newspaper having engaged in another business, offers that establishment for sale. It was in existence at the time of the passage of the last Military Bill, which entitles its Editor and necessary employees to exemption under that Act.

The Paper has a large circulation, and the Office is well supplied with Presses, Type and all necessary fixtures for Newspaper, Book and Job Printing. The nett income of the Office will afford from 30 to 50 per cent. profits on the price asked for the Establishment.

For price and other information desired, address "PROPRIETOR SPIRIT OF THE AGE."

26-tf Raleigh, N. C.

Attention! Capitalists!!

A RARE OPPORTUNITY FOR INVESTment of capital in an Iron Company is now open and may be embraced on application to the undersigned. Such exemptions and privileges have been obtained from the Secretary of War as ensures the prompt and successful prosecution of the enterprise.

Application must be made forthwith, when more full particulars will be given.

Ten men needed with $100,000 each, and they are wanted immediately.

W. J. HAWKINS, Pres't R. & G. R. R. Co.

Raleigh, N. C., Feb. 24, 1864.—26 d6t

☞ Daily Progress, Wilmington Journal, Charleston Mercury, Petersburg Express, Richmond Dispatch, Fayetteville Observer and Lynchburg Republican copy one week and forward bills.

Wanted to purchase.—A good Piano. Apply at this Office. an 19tf

Treasury Department, C. S. A., RICHMOND, Feb. 20, 1864.

Treasury Notice as to Funding Under Act of February 17, 1864.

NOTICE is hereby given to all holders of Treasury Notes, not bearing interest, that they may exchange the same immediately, at the Office of the Treasurer, Assistant Treasurer, or of any Depositary, for certificates which will entitle them to 4 per cent. Bonds; and that the said privilege will continue until the 1st of April ensuing, after which all notes above the denomination of five dollars can be funded only at 66⅔ cents to the dollar, except one hundred dollar notes, which, after that date, are no longer receivable for public dues, and can only be funded at an additional reduction of ten per cent. per month.

The certificates issued, together with the Bonds for which they may be exchanged, are receivable for taxes of the year 1864 at the full amount expressed on the face without interest, and are not subject to the tax imposed for that year on other bonds and credits.

The short time allowed should admonish all holders promptly to present the notes, and not risk the chance of exclusion by the pressure which will occur at the end of the month of March.

(Signed) C. G. MEMMINGER, 29-tf Secretary of the Treasury.

Annual Meeting.—The next Annual Meeting of the Stockholders of the Chatham Railroad Company, will be held at the office of Raleigh and Gaston Railroad Co., in the city of Raleigh, on Thursday, the 3d March, 1864.

W. W. VASS, Secretary.

Raleigh, Feb. 22, 1864. 24 3tawdt3m

JOB WORK

Of all kinds will be neatly executed at this office with cheapness and despatch.

DAILY CONFEDERATE.

ADVERTISING.

ADVERTISEMENTS will be inserted at two DOLLARS per square of ten lines (or less) for each insertion. Marriage notices and Obituaries will be charged as advertisements.

JOB WORK of every description will be executed at this Office with dispatch, and as neatly as can be done in the Southern Confederacy.

Miscellaneous.

A LOT OF VERY FINE CHEWING TOBACco on sale on good terms at TOWLES'.

27-d6t*

Headquarters 3d N. C. Cavalry, Near Kinston, N. C., Feb. 19th, 1864.

THE Divines of the State of North Carolina, are earnestly solicited to visit the 41st N. C. T., (3d Cavalry,) stationed near Kinston.

They will be liberally remunerated for their services, and have their expenses paid.

Notice of the intention of any one to comply with this call, addressed to the Commanding Officer of this Regiment, will receive prompt attention, and each one will be informed of the date his visit will be expected.

28-d6t* JNO. A. BAKER, Col.

Soldiers' Furlough.

Medical Director's Office, General Hospitals, N. C., Raleigh, February 15, 1864.—All Soldiers absent from their commands, are hereby informed, that no practicing Physician or single Surgeon or Assistant Surgeon has any authority to give certificates of disability for Furlough or discharge, except in cases where the soldier is unable to travel. Their certificates are worthless, and will not protect the soldier against the consequences of absence without leave. No one, except regulars ppointed Medical Examining Boards, are authorized to give certificates of disability for furlough or discharge.

P. E. HINES, Surgeon, 18-3aw4t Medical Director.

HOTEL FOR SALE.—I OFFER AT PRIvate sale the large new Hotel in the town of Louisburg, and located just east of the Court-house.

july 4.—tf. H. HARRIS.

Office Southern Express Company, Raleigh, N. C., February 13, 1864.—Much complaint being made of the delays by this Company in forwarding merchandize, I am instructed to advertise that the rules of the Company require that Government packages shall take preference over all others, and next in order are packages forwarded by friends or associations, to officers and soldiers in the field or hospitals. The observance of the rule, together with the limited facilities for transportation, necessarily cause delay in the forwarding of packages for merchants and others.

A. P. C. BRYAN, 18-1m *Agent.*

Office Southern Express Company, Augusta, Ga., February 16, 1864.—Legal notice is hereby given to all concerned, that persons who ship packages containing spirits, wines or cordials, without informing our Agent of the contents, will not be entitled to nor will they receive the benefit of valuation.

Spirits, wines, or cordials will not be forwarded by this Company except under SPECIAL CONTRACT.

JAS. SHUTER, *Superintend. and Acting President.*

A. P. C. BRYAN, Ag't, Raleigh, N. C. 18 1m

Military.

CONSCRIPT OFFICE, RALEIGH, N. C., Feb. 25th, 1864.

THE annexed order from Adjutant and Inspector General's Office, is published for the information of all concerned.

By order of the Commandant:

E. J. HARDIN, Adj't.

ADJ'T AND INSPECTION GEN'L'S OFFICE, Richmond, Jan. 5, 1864.

General Orders, No. 2.

For the information of all concerned, and to correct prevalent misapprehension, it is announced that there exists no mandatory provision of law securing to *Enrolled* Conscripts the right to choose in what company or regiment they will serve. They cannot be assigned to companies from other States, and, in general, their wishes are to be consulted as to the choice of companies, where no considerations for the good of the service intervene to prevent compliance. Assignments once made by Commandants of Conscripts, in good faith, in the exercise of their discretion, will not be considered as fit subjects for complaints.

By order. S. COOPER, 28-d15t *Adjutant and Inspector Gen'l.*

Conscript Office, Raleigh, N. C., Feb. 11, 1864. The following "Notice" from Bureau of Conscription is published for the guidance of all concerned. Compliance with its directions will save applicants for exemption or detail much unnecessary delay in the investigation of their claims.

By order of the Commandant. E. J. HARDIN, Adj't

NOTICE.

CONFEDERATE STATES OF AMERICA, WAR DEP'T BUREAU OF CONSCRIPTION, RICHMOND, VA., Jan. 29, 1864.

Paragraph X of General Orders No. 82, Adjutant and Inspector General's office of 1862, requires that "applications for exemption must in all cases be made to the Enrolling Officer."

If the local Enrolling Officer has not the power to act, or is in doubt, he will after investigation under Circular No. 3, Current Series, refer such applications, through the proper official channels to this Bureau. All such applications addressed to this Bureau will necessarily and invariably be returned for local investigation, and the applicants will thus have uselessly lost time and prolonged suspense.

Appeals from adverse decisions of the local officers, and of the Commandant of Conscripts for the States will be forwarded by them for hearing when any plausible ground of appeal is set forth.

2. Commandants of Conscripts will give this notice extensive circulation in the local press of their respective States.

By order of COL. PRESTON, Supt

[Signed] C. B. DUFFIELD, 16-1m A. A. G.

☞ Fayetteville Observer, Wilmington Journal Salisbury Watchman, Charlottee Bulletin and Democrat, Iredell Express, Asheville News, Wadesboro Argus, Greensboro' Patriot, Raleigh Standard, Christain Advocate, N. C. Presbyterian Mountain Eagle, Tarboro' Southerner, copy one month.

Confederate States of America, Engineer Department, District Cape Fear Wilmington, N. C., March 16th, 1863. Notice is hereby given to all persons having claims against the Engineer Department, for services of slaves employed as laborers on the *land defences* near Wilmington, N. C., that the undersigned is authorized and prepared to pay the same at his office, on the second floor of the building next above Meares' Drug Store, Market Street.

☞ Persons executing Powers of Attorney will observe the following form—their signatures, in all cases, to be witnessed by two witnesses and signed in duplicate, or they may be witnessed before a Justice of the Peace or Clerk of any Court.

FORM OF POWER OF ATTORNEY.

I, ——, of ——, do hereby appoint ——, of ——, my true and lawful Agent to sign receipts for, and receive payment of all moneys due to me by the Engineer Department of the Confederate States of America, for the services of my slaves employed as laborers on the land defences at ——, during the month of ——, 186 .

Witness, my hand and seal, at ——, this —— day of ——, 186 .

(Signed in duplicate.)

—————[Seal.]

Witnesses:

The signatures of colored persons should be witnessed by three witnesses.

There must be separate duplicate Powers of Attorney for each month. Blank forms can be had upon application at this office.

W. H. JAMES, Jan. 20, 1864-1 tf Capt. & Chief Engineer.

The Confederate.

D. K. McRAE, A. M. GORMAN, } Editors.

All letters on business of the Office, to be directed to A. M. GORMAN & Co.

SATURDAY, March 5, 1864.

☞ Office of THE CONFEDERATE, on Fayetteville street, second door South of Pomeroy's Bookstore. ☜

Judge Pearson's Opinion.

We have received at last the opinion of Chief Justice Pearson in the case of Walton, the Principal who had put in a Substitute.

In considering it, we waive these several facts:

First—That Judge Pearson's prejudices and sympathies against the Confederacy, and his previous decisions, had prepared the public mind for this decision.

Second—That this opinion is delivered after those of Judge Halyburton of Virginia, Judge Lockraine of Georgia, and Judge Munro of South Carolina, on the some question—all of which concurred—and such legal judicial minds might and ought to be considered as having established a precedent to settle the case, in order that the law may be uniform.

Third—That Judge French of this State, had decided the identical question—thereby fulfilling the very condition which would impose an obligation as Judge Pearson had himself recognized.

We say we waive all these considerations, and come now to note Judge Pearson's opinion on its merits; and we confess to wonder, disappointment and mortification.

It was an occasion which at least claimed an attitude of dignity, calm investigation, and commanding conclusion, to be enforced by solid and profound reason. It is eminently deficient in all these qualities, and contrasts lamentably for the author, with the logical and respectable arguments of the other Judges we have named. It sets out to argue two propositions: 1st, "Is Substitution a contract?" 2nd, "Has Congress power to violate its own cohtract?"

In the argument upon these two points, Judge Pearson manages to lose sight entirely of the magnitude of the question at issue, and conducts the discussion as if he were settling the inferior rights of individuals on a question as narrow as a dividing ditch.

If Judge Pearson be correct, then Congress being the sovereignty of the nation as far as law-making is concerned within the limits of the Constitution, may so cripple the power of the nation as to leave it unable to maintain itself in war, by parting with the right to raise an army—and may thus commit *felo de se* by a contract with the individual subjects of the nation.

We purpose to contrast this doctrine with Judge Pearson's own teaching:—

In the case of McRee against the W. & W. R. R. C., published in 2nd Jones' Law Reports, Judge Pearson delivered the opinion of the Court. The facts in that case were, that the Assembly of 1766 had passed an Act to encourage Benjamin Herron to build a bridge over the North-East branch of the Cape Fear River—and it enacted—

1st. That when the Bridge is built, the benefit thereof shall be vested in him, his heirs and assigns forever.

2nd. That after the Bridge is built, * * * it shall *not be lawful for any person whatever to keep any ferry—build any bridge, or set any person or persons, carriage or carriages, over the said river, within six miles of the same, under a penalty of twenty shillings.*

It was admitted that Herron built the Bridge and the franchise came lawfully to Dr. McRee, the Plaintiff, and that the defendants did *build a bridge* within six miles of Herron's bridge, and did set persons over, and carriages, every day. And Dr. McRee sued for the 20 shillings. Judge Pearson reasoned that, express as were the words of the act, "it was not the meaning of the parties that Herron should have a perpetual monopoly of setting persons over the river—so that the Governor, Council and Assembly, no matter what might be the change in the condition of things, either in reference to the increased necessity for transports across the river or the improved modes of transportation, should never have the power to authorize any other mode of crossing the river."

He said—It will be unreasonable in Herron in consideration of the services he was to perform, to grant any such stipulations; and it would be unreasonable on the part of the Assembly, in consideration of building a bridge, to take from themselves and their successors the power of doing that for which all Governments, (to-wit) promoting the general welfare, ° ° ° are formed.

In other words—"it is unreasonable to suppose, that they intended to surrender the means by which ° ° ° they might thereafter be enabled to effect the purpose for which they were created and formed into a government."

In Walton's case—Congress, at a period when the nation was engaged in war with a very powerful foe—had conscribed an army for three years if the war should last so long—and had embraced certain persons in the list of conscription. But had agreed that if persons so embraced should furnish substitutes from persons not so embraced, the Government would accept their substitutes.

Judge Pearson now decides that it is reasonable and proper to hold that it was the meaning of the parties—the Government and the individuals—that this contract should so far bind the Government that—although the enemy might increase his numbers—overwhelm the existing forces it had at its command—and imperil its existence—this contract would be so operative that it cannot call upon these exonerated persons to take up arms—and thus it has utterly "*taken from itself*"—the power not only of "promoting the public welfare"—but of preserving the public existence—thereby "surrendering the means" of effecting "the purpose for which it was created and formed into a government."

In one case it was unreasonable to suppose that the Government would contract with an individual that if he would build a bridge—no other bridge should be built in six miles of him—because in the future public commerce and public improvements might demand another bridge within the distance.

In the other case, *it is reasonable* and right to suppose that Government needing an army of fifty thousand men to-day, may so contract with individuals that if they furnish some men in their places to help make the fifty thousand, that the government may thereby preclude itself from ever thereafter calling upon those individuals, though the very safety of the nation may depend upon their existence.

In the one case, Government will not be suffered for a slight consideration to part with the means of providing for its convenience but in the other, will be supposed to part with the means, for a slight consideration, of preserving its existence.

Judge Pearson in the case of Walton, seeing the application, and feeling the force of McRee's case, endeavors to evade the reasoning he used in that case, by jumping to the other, ground on which the decision was put. But the chasm is too wide for even so nimble a mind, propelled by so ardent a will. The reasoning we have quoted from Judge Pearson, in McRee's case, is fairly stated. It embraces the very points of the Walton case in a weaker degree as convenience is weaker than life. The dictum is Judge Pearson's own: *he* is bound by it, and the commonest mind will discover that he has left *himself* wholly unanswerd.

Judge Hallyburton in one sentence utters what every intelligent mind will at once accept as common sense and sound law.

"Congress can no more part with the power "to require the service in the army, when "the occasion demands it, of every able "bodied man in the community, than it can "barter away the right to declare war or to "lay and collect taxes."

We shall still be obliged to refer to Judge Pearson's opinion again.

Mr. Holden's Card.

We present to-day the Card of Mr. W. W. Holden, announcing himself a candidate for Governor of North Carolina. We are sorry that Mr. Holden has placed himself in this position. We are no enemy of Mr. Holden, except as we are hostile to every man who injures thecause of independence—and we shall find no pleasure in the task which Mr. Holden's position will devolve upon us.—While Mr. Holden has in his political characters, (for he has worn many,) while he has, we say, deluded and misled many people—he is himself the victim of the most false and treacherous counsel. He is now the victim of other men's guile—the instrument, to subserve the malice of some, the disloyalty of others; and his legal advisers to his present course, are worse men than himself. We would much rather see *them* receive the blow that will fall on his head, than he.

Mr. Holden's talents and personal attributes had made him deserving of a better fate; and lamentable as have been his political sins, there were not wanting many, ourselves among the number, who would have rejoiced in his success, socially and otherwise, as far as a reasonable ambition could have desired.

But when Mr. Holden, under the impulse of an unworthy ambition—lured by hypocritical persuasion—and led by pernicious counsel, chose to tread the path which damages his country and helps her murderous foe—he cannot complain, if he finds himself abandoned and denounced by the good men and true, and is left only to the embrace of the unpatriotic and disloyal—with the few of the honest element who may be led astray in his support.

We subjoin Mr. Holden's Card, and shall hereafter have more to say concerning it:

TO THE PEOPLE OF NORTH CAROLINA.

In compliance with the wishes of many friends, I announce myself a candidate for the office of Governor of North Carolina, at the election to be held on the first Thursday in August next.

My principles and views, as a Conservative "after the straitest sect," are well known to the people of the State. These principles and views are what they have been. They will not be changed.

I am not disposed, at a time like this, to invite the people from their employments, and add to the excitement which prevails in the public mind, by haranguing them for their votes. We need all our energies to meet the common enemy, and to provide means of subsistence for our troops in the field and the people at home. Let the people go calmly and firmly to the polls and vote for the men of their choice. I will cheerfully abide their decision, whatever it may be.

If elected, I will do every thing in my power to promote the interests, the honor and the glory of North Carolina, and to secure an honorable peace.

W. W. HOLDEN.

March 2, 1864.

PRINCIPALS WHO HAVE REPORTED TO CAMP VOLUNTARILY:—John Tippetts, W. W. McInnis, —— Daniel, —— Utley.

The above named Principals all reported to Col. Mallett.—They sought no escape through *habeas corpus*, but have gone in cheerfully. Theirs is a worthy example, and it is due to such as they, that *all* should be made to follow—Principals—J. P's—Mayors—Town Commissioners—Constables—all these can be had above the age, for the asking.

Dying Notes.

The last Standard, short in editorials, closes a career—in which much of subterfuge had necessarily to be resorted to—by a column of quotations, in which this favorite *note* of its song was elevated to its highest key. In that column it had several extracts from the *Confederate*—garbled for the purpose it had in view—in accordance with a habit it had long practiced with success. It styles the *Confederate* "Destructive;" and quotes some articles of ours in praise of Gov. Vance—intending thereby to spread the intimation that Gov. Vance had been taken up by a party which it called "Destructive."

When the *Confederate* was started, it claimed to be exempt from party designation—to have, as its title indicated, a National aim and object. Aiming at the success of our struggle for independence, and objecting against any and every impediment which might come in the way, it announced its determination to support both the Confederate and State Governments, in all efforts, and to eschew PARTY POLITICS—the more effectually to serve the object it had it view.

Gov. Vance has not announced any purpose to be a candidate, though the indications from the public are that he is so considered.

Mr. Holden, as he has been the first to disavow being a candidate, is likewise the first to avow himself one. In that, following a habit for a life-time acquired.

The *Confederate* will be kept in its course. Its helm is still steady, and its prow is set for the haven of National Independence Gov. Vance has entitled himself to be a passenger on her boards. He is accorded the civility extended to all passengers, who, without being required to agree in *all* things with the Captain, refrains from expressions to mislead the crew. The reason we throw Mr. Holden overboard is, that we discovered that he had a torpedo in his pocket to try and blow up the boat.

We see, however, that George Mills Joy, Yankee, has picked him up on his craft. Perhaps the exchange of association will be mutually agreeable. At all events, the vessels are steaming on an opposite course, and the passengers they carry will soon separate forever.

Animated Nature.

FOXES.

Among the predatory and carniverous animals, none are more obnoxious than the Fox. It is an animal more or less common to all countries, and especially abounds in temperate climates—as the Confederate States. It resembles the wolf and the dog in many respects; though in others it differs from both. Its nose is small and its hair soft like the dog's, while its eyes are obliquely situated and its ears are directed like the wolf's. It is the *politician* of animals—dexterous, cunning, and full of art; his detection would be more difficult and his power of mischief much greater, if it were not that nature has provided the means of discovering his whereabouts by a peculiar odor, which is inseparable from his presence. He gains by address what he lacks in strength—watches his opportunities for depredation, and *varies* his conduct to suit all occasions. He is of the most avaricious nature, and has an appetite insatiable—will eat any kind of food—rats, mice, serpents, toads, lizzards, crabs, shrimps, shell-fish. He will even attack wasps and wild bees; and when they stick to his skin, he rolls over and over in the dirt until he gets rid of them, and then greedily devours the wax and honey. He is not swift in the chase, and his only shift to escape, is to run into some hole. His natural length of days is about fourteen years—though sometimes he is known to live twenty-three or four. In his younger days he is called a cub—in his middle age a fox, and in his advancing and declining years, an *old fox*. He is of various colors—indeed one may say of all colors—black, blue, white—white with red legs, white with black head, red with white throat, and red with black stripe, and grey, iron grey—and SILVER GREY. In colder climates, as Greenland, no single fox keeps more than one color; but in more temperate, as in the Confederate States, the fox changes his color from time to time—running through the various colors at different eras of his life, of white with red legs, white with black head, red with black stripe, to *silver grey*—which last color it attains towards the close of life. The fox is an Ishmaelite of an animal. He makes war on all—and most on him. But while his destruction is necessary, because of his mischief, he affords too much sport to be an object of malice. Indeed; it is his own fault that he is not a favorite animal. One smartness of his is worthy of praise for its cuteness, if not for its morals. His provision for himself by cheating the *Fowler*—when he expertly takes the bird out of the *Fowler's* snare, and hides it away for his own devouring.

A Spicy Correspondence.

We call the attention of our readers to the synopsis of a correspondence between Maj. Gen. Pickett and the Federal General Peck. In both action and words, Gen. Pickett has decidedly the advantage of his correspondent whether in executing justice, in enforcing catiation, in rendering humane offices, or observing polite decorum.

An article appeared in yesterday's paper which was not selected for our columns. The *reverse* side of a piece sent to the composing room was put in type, instead of the one intended; and the mistake was not discovered until too late for its omission. Our readers are assured that the article is not of a class that would have been selected by the Editors of the *Confederate*.

Judge Battle's Opinion.

We publish with pride and satisfaction the opinion of Judge Battle, from the Progress of yesterday. This opinion from a Judge of the Supreme Court of North Carolina, whose unbiased and impartial mind has always offered a safe foundation for public security—whose character carries the weight of authority to any opinion that he utters, and whose dignity of style and address makes this exposition of North Carolina law a fit companion for those of Hallyburton, Lochraine, Monro and Chancellor Carroll of South Carolina—will atone for all our disappointments, and reinstate us in our own good opinion.

The public will see in this opinion a clear, concise and logical reasoning, and a most safe conclusion for society and the country.

Habeas Corpus.

IN THE MATTER OF MICHAEL LONG.

This is an application to me for a writ of *habeas corpus* founded upon the allegation that the petitioner, having been liable to perform military service, had heretofore put a substitute in the army of the Confederate States to serve in his stead for three years or the war. He contends that the late act of Congress, under the authority of which he has been again enrolled and taken into custody, is unconstitutional and void.

A grave question is at once presented whether I am not prohibited from issuing the writ. An act was passed at the late session of Congress, entitled an "Act to suspend the privilege of the writ of *habeas corpus* in certain cases." This act was passed under the authority of a power conferred upon Congress for the purpose, and its constitutionality cannot be doubted. It is binding upon all the Judges both of the Confederate and the State Courts, and they are not at liberty to issue the writ, or, if issued, to proceed under it, in any of the cases specified in the act. These cases are clearly defined and classified in the first section, and among them is a class marked with the number 5. The question before me arises upon the specification in that class "of attempts to avoid military service." Are not persons who are claimed as conscripts, or as otherwise liable to military service, and who apply for a writ of *habeas corpus* for the purpose of thereby getting exempted from it, making attempts to avoid it? To my mind it seems clear that they are. They are certainly within the letter of the clause, and why are they not within its spirit? To this it is said that the act was intended to apply only to these, who, being liable to perform military duty, were unlawfully attempting to evade it, and not to those who seek the benefit of the writ for the sole purpose of establishing their claim to exemption from such duty. That cannot be so. Such a restricted construction of the Act would tend strongly to defeat the great purposes it was intended to accomplish. It could not, in the terms of the constitution, be passed at all unless the country were invaded or in rebellion. The salvation of the country is the object sought, and the framers of the constitution who authorized the act of suspension and the legislators who passed it, deemed that object so transcendantly great, that for the time all individual rights which conflicted with it, ought to give way to it. The spirit, then, as well as the letter of the clause, must embrace all persons without any exception, who are making "attempts to avoid military service." But if the words, upon which we are commenting, admitted of any doubt, it is entirely removed by the proviso which immediately follows them. In that proviso a clear, definite and precise remedy is given to any party who does not legally owe military service." If any such person be wronged by a subordinate officer, his superior shall give prompt redress to the injured party, and at the same time punish the wrongdoer by dismissing him from office. Why is this prompt redress thus expressly provided for a party not liable to military service, unless it was because the great remedial writ of *habeas corpus* is taken away from him?

I am aware that in the cases of Walton and others, lately decided by Chief Justice Pearson, at Salisbury, he held that the act suspending the writ of *habeas corpus* did not apply to them; but why he so held, I regret that I am not informed The question is now presented to me, and I cannot avoid deciding on it. If, in my opinion, I have no authority to issue the writ, I cannot stand justified before the country should I do it.

In deliberating upon the subject, another question occurred to me, which is, "whether I ought to issue the writ, and await the return of the officer before deciding upon the effect of the act, or to decide that question now. The 3d section of the act may, at first view, seem to favor the former course. That section provides for the stay of the proceeding under the writ, when the officer who has a party in custody, shall certify on oath that he detains him for any of the causes specified in the act. The true construction is, I think, that when the petition itself shows the cause of the detention, and it is one of those mentioned in the act, the Judge cannot issue the writ at all, but if such cause be not stated in the petition, then the writ must be issued, and the proceedings under it can only be suspended upon its being made to appear by the affidavit of the officer, that the true cause of the detention is one of those embraced in the act.

I have thus endeavored, briefly and plainly, to set forth the reasons why I feel bound to decline issuing the writ of *habeas corpus* applied for in this case.

WILL: H. BATTLE.

Chapel Hill, Feb. 29, 1864.

Brig. Gen. Clingman.

Officious persons are spreading a report that this distinguished officer is, or intends being a candidate for Governor. We know the contrary. Gen. Clingman looks to the service of his country in the field, and whenever opportunity offers, that service will be efficiently rendered.

Gen. Clingman was in this city on yesterday, on his return to duty from a short visit to his mother. His presence here had no political signification;—though we may mention as a matter of news, that Gen. Clingman is not in favor of any opposition to Gov. Vance.

The Candidate for Governor.

"Is thy servant a Dog?"—*Fayetteville Observer.*

No—"A Silver-Grey Fox."—NEWBERN TIMES, *Yankee.*

THE FOUR PER CENTS.—About $1,000,000 have been funded in four per cent. bonds since Monday, at the office in this city.

TELEGRAPHIC.

REPORTS OF THE PRESS ASSOCIATION.

Entered according to act of Congress in the year 1863, by J. S. THRASHER, in the Clerk's office of the District Court of the Confederate States for the Northern District of Georgia.

Further from the Raiders.

ORANGE C. H., Feb. 3.

Lt. Col. Jones' Artillery, captured at Frederick's Hall on Monday, have escaped. It is reported that a body of the enemy's raiders are still in our rear, attempting to get out. Artillery firing heard two hours this evening, in the direction of Newton's and Raccoon Fords in the same engagement. It is reported that the enemy is advancing in that direction or some more immediate point on the upper end of our lines. It is impossible to get anything definite from below. The enemy made a slight demonstration at Germana Ford yesterday evening.

RICHMOND, March 4.

The conflict on Wednesday night, at Walkerton, between a small force of Confederate cavalry and a party of Yankee raiders, resulted in the death of Acting Brig. Gen. Dahlgreen, one of the leaders. The expedition captured ninety of his men.

Several papers were found in Dahlgren's pocket, with his signature, stating the object of the undertaking to be the release of prisoners on Belle Island, and the destruction of the beautiful city—murder of Jeff. Davis and the traitorous crew. Everything of service to the Rebels must be destroyed. The documents disclose most vindictive hostility against the Confederacy, and have produced a profound sensation in this community.

The United States papers of the 1st have been received. The feat of Seymour in Florida is admitted.

In the Yankee House of Representatives on Monday,—Peace resolutions were rejected by seventy majority.—Resolutions were unanimously adopted, pronouncing the rebellion wicked, unjustifiable and must be put down. Cox of Ohio, offered a resolution declaring the rebellion hereby abolished; which was adopted with laughter.

Pendleton's resolution for the arrest and banishment of Vallandigham, in violation of the Constitution and laws, was rejected by thirty majority. Other news unimportant.

Advices from Europe to the 12th have been received. The Danes retreated to Alsen. The reported conference proposed by England has been acepted by Russia and Sweden, for the settlement of the Danish question.

The Florida left Brest on the 9th.

Earl Derby attacked the policy of the Administration in regard to Laird's Rams—intimating that they were seized under the influence of American menances.

From Florida.

SAVANNAH, March 4.

A special dispatch to the Republican, says that detachments from two of our regiments of cavalry and some infantry—all under the command of Col. Anderson, of the 5th Georgia, attacked the enemy's camp, which was taken by Finnegan on Tuesday.

The camp was retaken and the enemy badly whipped, and pursued within three miles of Jacksonville. Our loss 7 killed and 23 wounded.—Enemy's loss very heavy. Capt. Stephens of the Floridian cavalry killed.

From Gen. Lee's Army.

ORANGE C. H., March 4.

The excitement about the raiders has subsided. All quiet in this department. The cause of the firing at the lower fords on yesterday evening was ascertained to be our artillery shelling a feeble demonstration of the enemy's cavalry. This evening on retreating from Charlottesville they burnt Page's flour mill, Green county Bank's flour mill. At Madison C. H. they carried off several citizens prisoners.

From Gen. Johnston's Army.

MERIDIAN, March 4.

The work of repairing the Railroads destroyed by the enemy is progressing rapidly. Three miles of the track and three bridges burnt on the Southern road—10 miles of the track destroyed on the Selma road, and 35 on the Mobile and Ohio road.

Sherman burned a great deal of property here and at Marion, Enterprise, Lockhart and Lauderdale station. All the public buildings at this place were destroyed and a large number of private houses The Barton House and Ragsdale House, and the Railroad Depots burned and the office of the Daily Clarion.

The enemy pillaged every house, carrying away everything of any value. Provisions taken from almost every family. Sherman laid waste all the country through which his army passed on their return to Vicksburg.

DEMOPOLIS, March 4.

A dispatch from Macon, Miss., of the 2nd, says a dispatch from Gen. Jackson, dated Sharon seven miles from Canton, February, 28th, says he overtook the enemy at that point on the 27th and was skirmishing. The enemy crossed his whole force at Ratliff's and Cullum's ferries and proceeded to Canton, where they were reported short of rations and broken down.

It was thought they would destroy a portion of the R. Road North of Canton, and go at once to Vicksburg.—About 25 had been killed and a number captured. Our cavalry are harrsing them.

From Charleston.

CHARLESTON, March 4.

One hundred and eight shells were fired at the city in the last 24 hours, ending 5 o'clock this evening. One white woman was severely injured in the leg. This is the only casualty. From 1,200 to 3,000 shells were fired during the last fortnight. The monitors fired a few shot at Fort Sumter to day. No other news of importance.

A PREMIUM UNIFORM.—Recently Mrs White, of Selma, Alabama, went through the lines to Lexington, Kentucky, and being sister (Todd) of Mrs. Lincoln, was permitted to go to Washington. On her return, several weeks ago, she was allowed to carry nothing back, save a uniform for a very dear friend of hers who was battling in the Southern cause. The uniform arrived in the Confederacy several days since, and on inspection all the buttons were found to be composed of gold coin—two and a half, five, ten and twenty dollar gold pieces, set in the wooden button and covered with Confederate cloth. The gold thus brought through is valued at between thirty and forty thousand dollars—all sewed upon a uniform.

The above is a remarkable instance of woman's ingenuity.

From the New York News.

Sing a Song of Green Backs.

A FEDERAL NURSERY RHYME.

Sing a song of greenbaks,
A pocket full of trash,
Over head and ears in debt,
And out of ready cash;
Heaps of tax collectors,
As busy as a bee,
Aint we in a pretty fix,
With gold at fifty three.

Abe in the White House
Proclamations printing;
Meade on the Rapidan
Afraid to do the fighting;
Seward in the Cabinet
Surrounded by his spies;
Halleck with the telegraph
Busy forging lies.

Chase in the Treasury
Making worthless notes;
Curtin at Harrisburg
Making shoddy coats;
Gilmore at Charleston
Lost in a fog;
Forney under Abe's chair
Barking like a dog.

PARODY.

A Grey-Fox at Newbern, perched upon a truck,
A Candidate at Raleigh, running of a muck;
A Grey-Fox at Newbern, looking quite uneasy;
A Candidate at Raleigh, towards everybody pleasy;
A Grey-Fox at Newbern, attracting much attention,
A Candidate at Raleigh, causing much dissension;
A Grey-Fox at Newbern, very much cajoled,
A Candidate at Raleigh, very thinly polled;
A Grey-Fox at Newbern, with a very heavy drag,
A Candidate at Raleigh, on a very slow nag;
A Grey-Fox at Newbern, in a very sorry plight,
A Candidate at Raleigh, in a very ugly fight;
A Grey-Fox at Newbern, in a Yankee dance,
A Candidate at Raleigh running against Vance,
A Grey-Fox at Newbern, by Rebel dogs eaten,
A Candidate at Raleigh, very badly beaten.
(Signed) Yours truly, W. W. H.
Poet Laureate.

DIED,

On Wednesday morning, 24th February, at his residence near Oxford, N. C., Col. THOMAS I. HICKS, in the 71st year of his age. Firm and decided in his character, severely just and impartial in his estimate of men, he possessed a heart benevolent, kind, and ever open to the claims of charity—a model of all which constitute the useful citizen, the kind neighbor, and (that noblest of God's works) the honest man. COM.

New Advertisements.

AT ONE O'CLOCK, P. M., TO-DAY,

WE shall receive another small keg of FRESH OYSTERS. Customers, whose orders we could not fill yesterday, can be supplied to-day by sending promptly to the

NEW MARKET STORE,
In the old State Journal building.

☞ VERY FINE CHEWING TOBACCO just received and for sale.
March 5, 1864.—d-1t*

Office Chatham R. R. Co.
RALEIGH, March 4, 1864.

ALL Checks and Requisitions of this Company, now outstanding, are payable only in the present currency. W. W. VASS Treas.
54-3tawts.

NORTH CAROLINA VOLUNTEER NAVY CO.
TREASURER'S OFFICE,
Wilmington, N. C., March 2nd, 1864.

BOOKS are open at this office for further subscription to the capital stock of this Company. All Stockholders will call at this office and pay in the amount of subscriptions.
W. D. SMITH, Treasurer,
Office over Messrs. Rankin & Martin, South of Market Street.
March 5th. 34-5t*

Office C. S. Depository,
TARBORO', N. C., March 4, 1864.

TO enable the people in Eastern North Carolina more conveniently to fund their money under the late Act of Congress, the Secretary of the Treasury has established a Depository of the Treasury at this place.

Until the 1st day of April next, all non-interest bearing Treasury notes, above the denomination of five dollars, may be funded at par.
W. M. PIPPEN,
34-7t Depositary.

COTTON CARDS.

400 pair of Whittemore's No. 10 Cards at $100 or $4 in specie.

Owing to the depreciation of the currency, I have increased my price for Cards to $100 in the present currency.

They are on leather and of the best quality. These cards are for sale by J. L. Terrell at Clarksville Junction; A. D. Ellis, Franklinton; J. M. Towles, and Creech & Litchford, Raleigh. Orders will be received by Elder N. A. Purefoy, Warrenton. Any person who will send me $100 in currency by the 27th of March, to Forestville, N. C., will receive a pair of cards by Express. After the 27th of March, the price will be $75 in the new currency, or its equivalent in the old.
J. S. PUREFOY.
Forestville, N. C., Feb. 1864. 34-4t.

JUST ARRIVED!!!

BLACK CLOTH, At C. M. FARRISS'.
OFFICERS CLOTH, and all kinds of Trimming, At C. M. FARRISS'.
NECKTIES, At C. M. FARRISS'.
FINE CASSIMERES, At C. M. FARRISS'.
GENTLEMEN'S HALF HOSE, At C. M. FARRISS'.

Officers of North Carolina Troops who may not have an opportunity to call for their goods in person, can have their cloth drawn by C. M. Farriss, who will send an experienced hand to camp to take measures. If you want to get *fits*, send your orders to C. M. Farriss.

WANTED.—Five or six experienced Journeymen Tailors. The very best prices paid.
March 5-34-1m. C. M. FARRISS.

CONFEDERATE TAX NOTICE.

I WILL attend, with the Assessors, at my office, in the city of Raleigh, from the 14th to the 20th inst., for the purpose of receiving returns and the taxes imposed in the fourth section of an Act of the Congress of the Confederate States, entitled "An Act to levy additional taxes for the common defence and support of the Government," approved 17th February, 1864, as follows:

Sec. 4th. I. On all profits made by buying and selling spirituous liquors, flour, wheat, corn, rice, sugar, molasses or syrup, salt, bacon, pork, hogs, beef or beef cattle, sheep, oats, hay, fodder, raw hides, leather, horses, mules, boots, shoes, cotton yarns, wool, woolen, cotton or mixed cloths, hats, wagons, harness, coal, iron, steel or nails, at any time between the first of January 1863, and the first of January 1864, ten per cent. in addition to the tax on such profits as income under the "act to lay taxes for the common defence, and carry on the Government of the Confederate States," approved April 24th, 1863.

II. On all profits made by buying and selling money, gold, silver, foreign exchange, stocks, notes, debts, credits, or obligations of any kind, and any merchandise, property or effects of any kind, not enumerated in the preceding paragraph, between the times named therein, ten per cent., in addition to the tax on such profits as income, under the act aforesaid.

III. On the amount of profits exceeding twenty-five per cent., made during the year 1863, by any bank or banking company, insurance, canal, navigation, importing and exporting, telegraph, express, railroad, manufacturing, dry dock or other joint stock company of any description, whether incorporated or not, twenty-five per cent. on such excess.

RUFUS H. PAGE,
Collector for Wake County.
Raleigh, March 5th, 1864. 34-td.